

2172

Practitioner's Docket No. 1956/126

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Michael P. Wagner

Application No.: 09/480,390

Filed: 01/11/2000

Group No.: 2172

Examiner: To, B.

For: System, Device, and Method for Providing Mutual Exclusion
for Computer System Resources

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

DEC 05 2003

Technology Center 2100

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

☒ with sufficient postage as first class mail.

37 C.F.R. § 1.10*

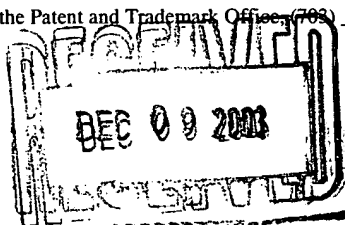
☐ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) _____

Date: December 2, 2003



Signature

Jeffrey T. Klayman

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY				
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA			RATE		ADDIT. FEE
TOTAL	34	- 34	= 0	x	\$	18.00	= \$	0.00
INDEP.	4	- 4	= 0	x	\$	86.00	= \$	0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+	\$	0.00	= \$	0.00
TOTAL ADDIT. FEE								\$ 0.00

No additional fee for claims is required.

FEE DEFICIENCY

5. If an additional extension and/or fee is required, charge Account No. 19-4972.

If an additional fee for claims is required, charge Account No. 19-4972.

Date: December 2, 2003



Jeffrey T. Klayman
Registration No. 39,250
Bromberg & Sunstein LLP
125 Summer Street
Boston, MA 02110-1618
US
617-443-9292
Customer No. 02101

01956/00126 283253.1



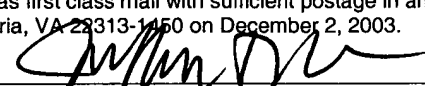
#76/c
um

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael P. Wagner Att'y Docket: 1956/126
Serial No.: 09/480,390 Art Unit: 2172
Filed: January 11, 2000 Examiner: To, B.
Title: SYSTEM, DEVICE, AND METHOD FOR PROVIDING MUTUAL
EXCLUSION FOR COMPUTER SYSTEM RESOURCES

CERTIFICATE OF MAILING

I hereby certify that this document, along with any other papers referred to as being attached or enclosed, is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 2, 2003.


Jeffrey T. Klayman

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

DEC 05 2003

Technology Center 2100

INTERVIEW SUMMARY AND RESPONSE TO OFFICE ACTION

Dear Sir:

Applicants acknowledge with appreciation the courtesy extended of a telephonic conversation held on August 14, 2003 between Mr. Jeffrey Klayman, Examiner To, and Primary Examiner Corrielus during which was discussed Applicant's response of June 13, 2003 and the Bacon reference addressed therein. Mr. Klayman explained how the present invention as claimed differs from Bacon and the other prior art of record. The Examiners expressed an opinion that ghost locks are similar to temporary locks as known in the art, and suggested that the claims be amended to further distinguish over temporary locks, for example, by specifying how ghost locks are used.

Applicant submitted proposed amendments on August 19, 2003 and August 20, 2003. Those proposed amendments were discussed during a